



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

JUL 17 2017

Ansonia Copper & Brass, Inc.
Raymond L. McGee, CEO
7 Pine Ledge Road
Brant Lake, NY 12815-1744

Re: Liberty Street Ansonia Copper & Brass Site
Ansonia, CT

Dear Mr. McGee:

This letter informs Ansonia Copper & Brass, Inc. ("Ansonia Copper & Brass") that the U.S. Environmental Protection Agency ("EPA") has perfected a lien upon property located at 75 Liberty Street and a lien on property located at 7 Riverside Drive in Ansonia, CT ("the Properties"), the exact legal description of which is contained in a copy of the liens enclosed with this letter. The Properties are part of the Liberty Street Ansonia Copper & Brass Superfund Site (the "Site"). EPA has determined that Ansonia Copper & Brass is the owner of the Properties. The liens which EPA has perfected against the Properties arise under Section 107(l) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), commonly known as "Superfund," 42 U.S.C. § 9607(l). The liens are intended to secure payment to the United States of costs and damages for which Ansonia Copper & Brass, as the owner of the Properties, would be liable to the United States under Section 107(a) of CERCLA, 42 U.S.C. § 9607(a).

Under CERCLA Sections 107(a) and 101(9), 42 U.S.C. §§ 9607(a) and 9701(9), liable persons include persons who own any "facility," including a site or area where a hazardous substance has been deposited, stored, disposed of, or placed, or otherwise come to be located, and is subject to or affected by a removal action. EPA has determined that a release or threat of release of hazardous substances pursuant to Section 101(22) of CERCLA has occurred at or from the Properties. The hazardous substances include, but are not limited to: asbestos, polychlorinated biphenyls, and heavy metals. As the owner of the Properties, Ansonia Copper & Brass is liable for all costs of a removal action at the Site. Costs and damages include the costs incurred by the United States in responding to a release or threat of release of hazardous substances at the Site.

The liens arising in favor of the United States on the Properties continues until the liability or the costs are satisfied, or until the liability for the costs becomes unenforceable through operation of the statute of limitations pursuant to CERCLA Section 113.

On July 7, 2017, EPA notified Ansonia Copper & Brass by certified mail of its potential liability under CERCLA, and by electronic mail on July 10, 2017. Ansonia Copper & Brass may satisfy the liens placed upon its property by paying all costs and damages for which it is liable.

EPA has assembled Lien Filing Records consisting of documents relating to its decision to perfect the liens. These records are kept at the following address, and may be reviewed and copied at reasonable times by arrangement with me, at the address listed below:

Michelle Lauterback, Senior Enforcement Counsel
U.S. Environmental Protection Agency
Office of Site Environmental Stewardship
5 Post Office Square, Suite 100 (OES04-3)
Boston, MA 02109-3912
(617) 918-1774

EPA has reviewed the information in the Lien Filing Records and believes the Agency has a reasonable basis to believe that the statutory elements for perfecting liens are satisfied. On July 13, 2017, EPA perfected its liens by filing a notice of lien with the City of Ansonia Clerk's Office in Ansonia, CT, as designated by State law, where the real property is located. EPA perfected its liens prior to notifying you of its intention because of the upcoming auction by the City of Ansonia on July 19, 2017.

You may notify EPA within 14 calendar days from the date of receipt of this letter in writing if you believe EPA's information or determination is an error. You may also request to appear before a neutral EPA official to present any information that you have indicating that EPA did not have a reasonable basis to perfect a lien(s). You should describe in your letter or written request your reasons for believing that EPA did not have a reasonable basis to perfect its lien(s), because EPA may, as described below, agree with your reasons and release its lien(s) without further review or a meeting. Any written submissions or requests for a meeting should reference the Liberty Street Ansonia Copper & Brass Superfund Site, be addressed to the above regional attorney, and may include documents or information that support your contentions.

If EPA receives a written submission or a request for a meeting with you within 14 calendar days from the date of receipt of this letter, Agency staff will review your submission or request for a meeting. If, after review and consultation, EPA agrees that the Agency did not have a reasonable basis in which to perfect a lien(s), EPA will release its lien(s), and also notify you. If EPA disagrees, the written submission or request will be referred to a neutral EPA official selected for the purpose of reviewing the submission or for conducting the meeting, along with the Lien Filing Records.

If you have requested an opportunity to appear, the meeting will be scheduled. You may choose to attend this meeting via teleconference. The Agency will be represented by its enforcement staff, including a representative from the Office of Regional Counsel. You may be represented by counsel at this meeting.

The meeting will be an informal hearing in which you may provide EPA with information as to why the agency's assumption requires reconsideration. The meeting will not be conducted using rules of evidence of formal administrative or judicial procedures. The sole issue at the meeting would be whether EPA had a reasonable basis to perfect its liens based upon CERCLA Section 107(I).

After reviewing your written submissions, or conducting a meeting, if one is requested, the neutral EPA official will issue a recommended decision based on the Lien Filing Records. The recommended decision will state whether EPA had a reasonable basis to perfect the lien(s) and will be forwarded to the agency official delegated to execute lien(s) for action. You will be notified of the agency's action (whether the lien(s) will stay in place or be released) and furnished a copy of the recommended decision.

Neither you nor EPA waives or is prohibited from asserting any claims or defenses in any subsequent legal or administrative proceeding by the submission of information, a request for and participation at a meeting, or recommended decision by the neutral EPA official that EPA has a reasonable basis to file a lien.

If you have any questions pertaining to this letter, please contact EPA Senior Enforcement Counsel Michelle Lauterback at (617) 918-1774.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bryan Olson', with a long horizontal line extending to the right.

Bryan Olson, Director
Office of Site Remediation & Restoration

Enclosure

cc: Michelle Lauterback EPA Senior Enforcement Counsel
Tina Hennessy, EPA Enforcement Coordinator



**Notice of Federal Lien Under the Comprehensive
Environmental Response, Compensation, and Liability Act,
as amended ("CERCLA"), 42 U.S.C. §§ 9601 et seq.**

NOTICE IS HEREBY GIVEN by the United States that it holds a lien on the lands and premises described below situated in the State of Connecticut, as provided by Section 107(l) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9607(l), to secure payment to the United States of all costs and damages for which Ansonia Copper & Brass, Inc. is liable under Section 107(a) of CERCLA. The lien for which this instrument gives notice exists in favor of the United States upon all real property and rights to such property which belong to Ansonia Copper & Brass, Inc. and are, have been, or will be subject to, or affected by, the response actions, as defined by federal law, at the Liberty Street Ansonia Copper & Brass Superfund Site, in the City of Ansonia (New Haven County), Connecticut. Such property includes, but is not limited to, those parcels of land with all buildings and improvements thereon, situated at 7 Riverside Drive in the City of Ansonia, Connecticut. The property is bounded and described on a Quitclaim Deed in Book 233, Page 8, dated January 20, 1988 at the City of Ansonia Clerk's Office.

This statutory lien exists and shall continue until the liability for costs and damages (or a judgment against such persons arising out of such liability) is satisfied or becomes unenforceable through the operation of the statute of limitations as provided by Section 113 of CERCLA, 42 U.S.C. § 9613.

IN WITNESS WHEREOF, the United States has caused this instrument to be executed through the United States Environmental Protection Agency, Region I.

Dated at Boston, Massachusetts this 11th day of July, 2017.

By: 

Bryan Olson, Director
Office of Site Remediation & Restoration
U.S. Environmental Protection Agency, Region I

Commonwealth of Massachusetts
County of Suffolk

On this 11 day of July, 2017, before me, the undersigned notary public, personally appeared Bryan Olson, proved to me through satisfactory evidence of identification, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.


Notary Public

My commission expires: May 8, 2020



Notice of Federal Lien Under the Comprehensive
Environmental Response, Compensation, and Liability Act,
as amended ("CERCLA"), 42 U.S.C. §§ 9601 *et seq.*

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This statutory lien exists and shall continue until the liability for costs and damages (or a judgment against such persons arising out of such liability) is satisfied or becomes unenforceable through the operation of the statute of limitations as provided by Section 113 of CERCLA, 42 U.S.C. § 9613.

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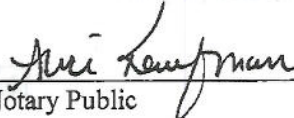
Dated at Boston, Massachusetts this 11th day of July, 2017.

By: 

Bryan Olson, Director
Office of Site Remediation & Restoration
U.S. Environmental Protection Agency, Region I

Commonwealth of Massachusetts
County of Suffolk

On this 11 day of July, 2017, before me, the undersigned notary public, personally appeared Bryan Olson, proved to me through satisfactory evidence of identification, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.


Notary Public

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Received for Record at Ansonia, CT
On 07/13/2017 At 1:12:51 pm

